

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:16 cr 39-1**

UNITED STATES OF AMERICA)
)
Vs.) **ORDER**
)
DANIELLE DEVONNA JONES.)
)
_____)

THIS MATTER has come before the undersigned pursuant to a letter (#50) written by Defendant to the Clerk of Court in which Defendant moved that she be allowed to represent herself in regard to the charges pending against her. The undersigned conducted a hearing in regard to this matter on September 1, 2016. At the call of the case it appeared the Defendant and her attorney, Ronald E. Justice, Jr., were present and the Government was present through AUSA Richard Edwards. The undersigned made inquiry of the Defendant concerning her motion consistent with Section 1.02 of the Bench Book For United States District Judges. The inquiry shall appear of record. The undersigned carefully cautioned Defendant that a trained attorney could present a defense in this matter far better than that which could possibly be presented by Defendant herself. However, Defendant stated it was her voluntary and knowing decision to represent herself.

The undersigned finds that Defendant has knowingly, intelligently, and

voluntarily waived her right to counsel in this matter and that such waiver has been clear and unequivocal. The undersigned further finds that the request of Defendant is timely and will allow Defendant's motion.

The undersigned further consulted with the Defendant and advised Defendant that it would be in her best interest that standby counsel be appointed to assist her in this case and read to her the definition of "standby counsel" as set forth in McKaskle v. Wiggins, 465 U.S. 168, 173 (1984). The Defendant consented to the appointment of standby counsel and such will be appointed in this matter.

ORDER

IT IS, THEREFORE, ORDERED that:

- 1) The Defendant's letter (#50) which is considered by the Court as a motion to be allowed *pro se* representation and self-representation is **ALLOWED**;
- 2) That Defendant's present counsel, Ronald E. Justice, Jr., is hereby **ALLOWED** to withdraw as counsel for Defendant in this matter; and
- 3) The Federal Defender's of Western North Carolina are hereby directed to appoint standby counsel for Defendant, who is to act for advisory purposes only.

Signed: September 7, 2016

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

